



Lima Baptist Temple

July 17, 2006

Amelia Brown
Senior Attorney
Disability Right Office
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: Closed Captioning Requirement/Lima Baptist Temple 982 Brower Road, Lima OH 45801
Case CGB-CC-0218

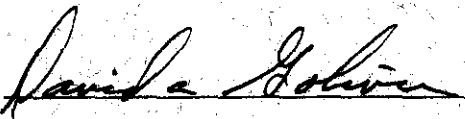
Dear Ms. Brown,

Enclosed is our Petition for Exemption from Closed Captioning Requirements in the above-referenced case.

Thank you for your attention to this matter.

Sincerely,

The Lima Baptist Temple

By: 

982 Brower Road • Lima, Ohio 45801 • Phone: 419-229-1561 • Fax: 419-229-0316

Email: lbtt@limabaptisttemple.org • www.limabaptisttemple.org

TABLE OF CONTENTS

TITLE PAGE

PETITION FOR EXEMPTION

EXHIBIT A Closed Captioning rate estimate #1

EXHIBIT B Closed Captioning rate estimate #2

EXHIBIT C Airtime program cost

EXHIBIT D Financial statement

EXHIBIT E Church non-profit statement

DECLARATION - AFFIDAVIT

ENCLOSURE: COPY 1

ENCLOSURE: COPY 2

ENCLOSURE: STAMP AND RETURN COPY

ENCLOSURE: SELF-ADDRESSED STAMPED ENVELOPE FOR STAMP AND
RETURN COPY

Petition for Exemption from Closed Captioning Requirements

Federal Communications Commission

Attention: CGB Room 3-B431

445 12th Street SW

Washington, DC 20554

Office of the Secretary
Federal Communications Commission
Attention: CGB Room 3-B431
445 12th Street SW
Washington, DC 20554

Petition for Exemption from Closed Captioning Requirements

Introduction

Lima Baptist Temple was founded in 1956 at its current location of 982 Brower Road, Lima, Ohio, 45801. Lima Baptist Temple was originally begun as a mission church of 40 members and has since grown to over 650 members. Lima Baptist Temple members come from different walks of life and ethnicities, but they share one common goal, and that is to grow closer to God and allow Him to rule in every facet of their lives. The Church's mission is to reach out to the community with the message of the saving Gospel of Christ, supporting families, and ministering in times of need.

The Lima Baptist Temple television program broadcasts each Sunday at 11 AM on WLIO-TV in Lima, Ohio and is produced by volunteer church members. The program running time is 58:26 and typically contains special music and performances, a children's Bible lesson, testimonials, prayer, and Old/New Testament sermon. Preaching is done expositionally and grounded solely in the authority of the Holy Bible. The program centers on the forgiveness, grace, and reconciliation found in a personal relationship with the Lord Jesus Christ. Emphasis is given to practical ways of applying Biblical principles and the responsibility of the believer to reach out in compassion to people going through adversity and need. The program reaches across all age groups.

For the reasons set forth below, Lima Baptist Temple hereby requests an undue burden exemption from the closed captioning rules for the Lima Baptist Temple television program pursuant to 79.1(f) of the Commission's rules.

Nature and Cost of Closed Captions

Closed Captioning will involve producing a final-edit master to be shipped to an out-of-town vendor to be transcribed at the cost of \$750 per program. Attached are samplings of transcribing costs entitled Exhibits A and B. In addition to the transcribing cost, subtitling and dubbing expense, there would be additional expense in hiring a local editing professional in order to meet the shipping receipt deadline requirement of the transcribing vendor and return shipping deadline requirement to meet the WLIO on air deadlines.

In-house voice recognition software for transcribing the program has been rejected due to its expensive startup cost and is impractical due to the fact that there are many and various speakers on a regular basis. Also, these speakers regularly speak in an extemporaneous and expository style, therefore, the use of prepared scrolls and subtitles have been ruled out. It is imperative that there is total accuracy in the proclamation of the Holy Scriptures. At this time we do offer copies in writing of the sermons only when and if they are requested.

Impact on the Operation of the Program Provider

Currently, the Lima Baptist Temple program costs \$19,875 per year for airtime (see Exhibit C). Volunteers operate all equipment involved in production, therefore, closed captioning would add \$39,000 to the cost of airing the program. These additional

expenses would necessitate that funds be diverted from other vital church ministry areas in order to continue the program.

Financial Resources of the Program Provider

As reflected by the attached financial statement for the period ending May, 2006 (see Exhibit D), Lima Baptist Temple is running approximately \$12,000 short of meeting its projected 2006 General Fund Budget. There has been a pattern reflecting a shortage of offerings given to meet the projected budget throughout the current calendar year. We anticipate that we will end the year significantly short of meeting the projected budget.

The Designated Fund is comprised of donations made to Lima Baptist Temple for specific purposes. These monies can only be expended for the purpose for which they were given.

The Television Ministry is funded through the church's General Fund Budget. Should we be required to add the *Closed Caption* process into the Television Ministry, which we consider one of the vital outreach ministries of our church, we would be forced to divert funds from some other area in our General Fund. As previously noted this fund is already running in the "red", so some area ministry would have to go lacking. The added cost related to implementation of the *closed caption* process would significantly impact our church's ability to operate financially within existing and projected resources.

WLIO-TV currently does not have facilities to assist the Church in this endeavor.

Type of Operations of the Program Provider

Lima Baptist Temple is a non-profit religious institution providing traditional, spiritual, emotional, and physical support to a diverse economic, ethnic, and social

population. No solicitations or appeals for donations are made to the viewers of the Lima Baptist Temple program.

Other factors

Petitioner believes that the local, non-news exemption to the closed captioning rules also applies to the Lima Baptist Temple program. (1). As noted above, the program is produced and distributed locally, and the sermons of Lima Baptist Temple are of primarily local public interest. The episodes are not news, they do not have repeat value, and the electronic newsroom technique is not available. Notwithstanding the applicability of the exemption, we have filed this petition in an abundance of caution and for the purpose of establishing certainty.

Conclusion

As shown by this Petition and its attachments, the Commission should grant a waiver of the closed captioning requirements in this case, because requiring closed captioning would create an undue burden. The costs of captioning would be excessively high and would have a significant impact on Petitioner's operations. The Petitioner's type of operations and financial resources are different in kind and magnitude from a mainstream programming provider. Because of the significant difficulty and expense of providing closed captions, a waiver under 79.1(f) is warranted. If more information is needed, please contact me at the address provided below.

Respectfully submitted,

Lima Baptist Temple
982 Brower Road
Lima, Ohio 45801
419-229-1561
Fax 419-229-0316

By: 

Dave Goliver
Business Administrator

Dated: July 14, 2006

YAHOO! MAIL

Print - Close Window

To: dickhi@yahoo.com
From: "Cynthia Schmidt" <post21@wideopenwest.com>
Subject: Closed Caption Quote
Date: Mon, 5 Jun 2006 11:02:43 -0400

Hi Dick,

Thank you for the opportunity to quote on your closed caption project. As I understand your project, it is a 60 minute broadcast and closed captioning will be done post production within a one week time period.

Prices to do this project are as follows:

File set-up fee: \$200.00
Closed captioning: \$8.00/minute
Transcription (if needed): \$4.00/minute

Total to caption 60 minute program: \$920.00

You will need to supply blank tape stock.

Thank you again for the opportunity to quote on your project.

Sincerely,

Cindy Schmidt
Post 21



post production captioning and subtitling

1-800-272-0674

Home
Captioning
Teleprompting
Subtitling
DVD
Webtv
V-Chip
Webcasting
Services
Video Services
Realtime Live
Post-Production
Audio Description
DVD
Webcast Services
Realtime Live
Video-On-Demand

Post Production Captioning/Subtitle

[Click here for the Order Form](#)

Satisfaction Guarantee

CPC provides a free approval copy to guarantee satisfaction.

Quality

Top quality captioning is our highest priority. It is achieved by:

- State-of-the-art software
- Experienced, highly trained captioners
- Teamwork of captioners & software developers
- 15 years of experience
- Triple quality control

Caption/Subtitle Rate Made Simple

Pop-on mode: \$7/min. of vic
+ \$150 setup fee

Roll-up mode: \$5/min. of vic
+ \$150 setup fee

(You provide transcript & blank

.....
Add \$3/min. of video if CPC
transcribes.

Special Bulk Rate for VHS Tapes - \$6.00/Min

For any VHS job over 5 hours, CPC has a great price of \$6.00/min. of video. You provide the video, we transcribe and caption it in the Roll-up mode.

Retrieve/Convert Caption Between Different Form

- Webcasting with Caption
- DVD Captioning/Subtitlin

[Click here for rates and de](#)
of all file formats support

Sample Video w/ Caption

Sample Video captioned for t
DSL/Cable users: [Click he](#)
56K users: [Click here](#)

Transcription & Translation

Professional Transcription and translation to most major languages available at competitive price.

Languages

Closed & Open Captioning

60 min Program Video Media

Transcribed

\$ 750.00 per
Week

- **Videotape:** All formats from VHS to Digital Betacam
- **DVD:** Caption and subtitle files for most major DVD authoring systems
- **Webcast:** Video-on-Demand

Specials

- Major discounts for bulk work
- Extreme discounts to caption Webcasts of previously captioned videos.



Lima Communications Corp.
1424 Rice Avenue
Lima, Ohio 45805
419-228-8835
www.wlio.com

P. O. Box 1689
Lima, Ohio 45802
FAX 419-229-7091
NEWS FAX 419-225-6109



EXHIBIT C

October 12, 2005

Pastor Gary Hohman
Lima Baptist Temple
982 Brower Road
Lima, Ohio 45801

Re: Lima Baptist Temple Sunday Program

Dear Pastor Hohman:

This will confirm our offer to continue the 11 AM-12 Noon broadcast of the Sunday morning service from the Lima Baptist Temple. Cost per program will increase to \$375 extending from January 1, 2006 and continuing through December 31, 2006. Excluding pre-emptions, your investment is \$19,875. This same rate will be renewable for 2007 as well.

We hope this will be acceptable as we have enjoyed a very long and rewarding association, which we feel has been most beneficial to the Lima Baptist Temple, WLIO Television, and the Lima community.

Thanks for your interest. We will be talking at your convenience. ✓

approved 11-30-05
Nancy Gehl
Bus. Mgr.

Sincerely,

Bruce A. Opperman

Bruce A. Opperman
President/General Manager

Kevin C. Creamer

Kevin C. Creamer
Vice President/General Sales Manager

;cg

June 12, 2006

Lima Baptist Temple
Income/Expense Report
 January through May 2006

	<u>Jan - May 06</u>
Ordinary Income/Expense	
Income	
Maintenance Offerings	2,581.00
General Offerings	340,777.58
Mission Offerings	67,605.39
Activity Income	12,818.92
Miscellaneous Income	1,498.40
Interest	197.50
Total Income	<u>425,458.79</u>
Gross Profit	425,458.79
Expense	
Adult Ministry	420.18
Childrens Ministry	3,506.03
Connexion Ministry	805.48
Fusion Ministry	1,079.94
Music Ministry	691.79
Payroll Expenses	132,915.31
Employee Benefits	7,349.40
Health Ins	21,989.27
Outreach	21.70
Professional Fees	1,490.00
Building Insurance	4,683.76
Building Maintenance	76,540.82
Curriculum	1,184.54
Miscellaneous	423.42
Janitor Supply	5,503.46
Maintn-Vehicles	2,869.19
Fuel	3,960.27
Vehicles Lic/Ins	1,850.93
Office Sup	6,654.00
Postage	1,037.87
TV Ministry	7,400.00
Security	3,486.00
Awards	477.28
Adv/Promo	500.00
Guest Speakers	3,027.31
Benevolence	487.75
Activities	13,382.48
Equipment	19,812.08
Flowers	1,032.20
Sales	-49.50
Taxes	524.38
Refuse Remove	905.00
Utilities	38,454.02
Wedding Fees	200.00
Foreign Missions	42,005.00
Home Missions	30,714.16
Total Expense	<u>437,315.52</u>
Net Ordinary Income	<u>-11,856.73</u>
Net Income	<u><u>-11,856.73</u></u>



J. KENNETH BLACKWELL
Ohio Secretary of State

180 E. Broad Street, 16th Floor, Columbus OH 43215
614.466.2655 / Toll Free: 877.767.6446 / Fax: 614.644.0649
e-mail: blackwell@sos.state.oh.us
www.state.oh.us/sos/

May 26, 2004

Dear Clergyman:

As part of your ongoing church operations, we know it is important for you to maintain your 501(c)3 status as a tax-exempt organization. To maintain your operating status, there are two official tasks that must be completed with the Secretary of State's office: filing and maintaining a statutory agent; and filing a notice of renewal to continue your operation.

To assist you, we provide the following information to help you better understand the business incorporation process in Ohio.


First, all business incorporations, non-profit or profit that operate in Ohio, must have a statutory agent identified and on file with this office. All official correspondence must legally go to your statutory agent. If your statutory agent moves or resigns from his or her duties with your organization, you must file papers with this office to name a new statutory agent. To update your statutory agent, you must use **Form 521**, which is called "**Statutory Agent Update**." Further information on statutory agents and the necessary form may be found under the Business Services section of the Secretary of State's Web site at www.sos.state.oh.us.

Secondly, each incorporated business entity, non-profit or profit, must file a business renewal statement with the Secretary of State's office every five years. Specifically, this process uses **Form 522**, called a "**Continued Existence of Non-Profit Corporation**." This document demonstrates proof that your organization is continuing to operate as it was meant to under the incorporation documents on file with the State of Ohio. Further information on business renewals may also be found under the Business Services section of the Secretary of State's Web site at www.sos.state.oh.us.

Finally, in a matter not associated with the business status of your church, it may also be helpful to remind you that ministers' licenses are also filed with the Secretary of State's office. My office must license anyone who intends to perform marriage ceremonies within a specific church in Ohio. Additionally, if a minister chooses to leave one church for another Ohio church, he or she must re-file his or her minister's license with my office. Your license allows you to perform official functions of a minister only with a particular church. You may find information on obtaining a minister's license, as well as the application itself, within the Special Services section of the Secretary of State's Web site at www.sos.state.oh.us.

AFFIDAVIT

I, Dave Goliver, Business Administrator of the Lima Baptist Temple, do swear in this Affidavit that the information in the attached report is true and accurate to the best of my knowledge.

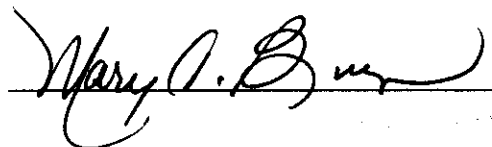

Dave Goliver

STATE OF OHIO
COUNTY OF ALLEN

Signed in my presence by Dave Goliver, on July 14, 2006.



MARY C. BUCZKO
Notary Public, State of Ohio
My Commission Expires
May 9, 2010





Prescribed by **J. Kenneth Blackwell**

Ohio Secretary of State

Central Ohio: (614) 466-3910

Toll Free: 1-877-SOS-FILE (1-877-767-3453)

Expedite this Form: (Select One)

Mail Form to one of the Following:

☐ Yes

PO Box 1390

Columbus, OH 43216

*** Requires an additional fee of \$100 ***

☒ No

PO Box 788

Columbus, OH 43216

www.state.oh.us/sos

e-mail: busserv@sos.state.oh.us

STATUTORY AGENT UPDATE

(For Domestic or Foreign, Profit or Non-Profit)

Filing Fee \$25.00

THE UNDERSIGNED DESIRING TO FILE A:

(CHECK ONLY ONE (1) BOX)

(1) Subsequent Appointment of Agent

☒ Corp ☐ LP (165-AGS)

☐ LLC (171-LSA)

(2) Change of Address of an Agent

☐ Corp ☐ LP (145-AGA)

☐ LLC (144-LAD)

(3) Resignation of Agent

☐ Corp ☐ LP (155-AGR)

☐ LLC (153-LAG)

Complete ALL of the general information in this section for the box checked above.

Name of Entity Lima Baptist Temple

Charter or
Registration No. [REDACTED]

Name of Current Agent Donald E. Miller, Jr.

Complete the information in this section if box (1) is checked.

Name and Address of
New Agent

David A. Goliver

(Name)

4598 Dutch Hollow Drive

(Street)

NOTE: P.O. Box Addresses are NOT acceptable.

Elida

(City)

Allen

(County)

Ohio

(State)

45807

(Zip Code)

ACCEPTANCE OF APPOINTMENT

The Undersigned, David A. Goliver, named herein as

the Statutory agent for, Lima Baptist Temple, hereby acknowledges and
accepts the appointment of statutory agent for said entity.

Signature: David A. Goliver

(Statutory Agent)

* If the entity listed is a foreign corporation, the agent does not have to sign the Acceptance of Appointment

OK # 27330
11-7-05 - \$25.00
Ohio Secretary of State



DATE:	DOCUMENT ID	DESCRIPTION	FILING	EXPED	PENALTY	CERT	COPY
06/24/2004	200417503040	CERTIFICATE OF CONTINUED EXISTENCE (CCE)	25.00	.00	.00	.00	.00

Receipt

This is not a bill. Please do not remit payment.

LIMA BAPTIST TEMPLE
962 BROWER RD.
LIMA, OH 45801

**STATE OF OHIO
CERTIFICATE**

Ohio Secretary of State, J. Kenneth Blackwell

258558

It is hereby certified that the Secretary of State of Ohio has custody of the business records for

LIMA BAPTIST TEMPLE, INC.

and, that said business records show the filing and recording of:

Document(s)

CERTIFICATE OF CONTINUED EXISTENCE

Document No(s):

200417503040



United States of America
State of Ohio
Office of the Secretary of State

Witness my hand and the seal of the
Secretary of State at Columbus, Ohio
this 23rd day of June, A.D. 2004.

J. Kenneth Blackwell
Ohio Secretary of State